PECEIVED CENTRAL FAX CENTER

DEC 2 1 2005

9Serial No.: 10/781250

Attorney Docket No: 160-034

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at number (571) 273-8300

Dec. 21, 2005 date

Signature

Holmes W. Anderson, Reg. No. 37,272
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal x 2

2 pages

Amendment

6 pages

Total including this sheet

9 pages

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
d to a collection of information unless it displays a valid OMB control number.

978 264 9119

Under the Paper R	eduction Act of 1995, no pers	ons are required to respond to a collecti	ion of thiormation whose it displays a tast	
		Application Number	10/781250	
TRANSMITTAL FORM (to be used for all correspondence after Initial filing)		Filing Date	February 18, 2004	
		First Named Inventor	Backes RECEIVE	
		Art Unit	2665 CENTRAL FAX CI	
		g) Examiner Name	Philipott DEC 2 1 2	
Total Number of Page	ss in This Submission	Attorney Docket Number	160-034	
		ENCLOSURES (Check all	that apply)	
Fee Transm		Drawing(\$)	After Allowance communication to (TC)	
Fee A	litached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences	
X Amendment / Reply After Final		Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
		Petition to Convert to a Provisional Application	Proprietary Information	
Affida	avits/declaration(s)	Power of Attorney, Revocation of Correspondence Address; Sunder 37 CFR 3.72(b)	n Change Status Letter	
Extension of	f Time Request		Other Enclosure(s) (please identify below):	
Express Ab	andonment Request	Request for Refund		
[mformation	Disclosure Statement	CD, Number of CD(s)		
Certified C	opy of Priority	Landscape Table on C		
Document(Remarks		
Reply to Missing Parts/ Incomplete Application		PLEASE CHARGE ANY FEE DEFICIENCY OR CREDIT ANY OVERPAYMENT		
Reply	to Missing Parts under 37	TO DEPOSIT ACCOUNT 502	569	
	OICHA!	TURE OF APPLICANT, ATTO	DRNEY OR AGENT	
irm Name				
ignature	Steubing McGuinness &	Manaias CO-		
rinted name	Holmes W. Anderson			
Date	12/21/2005		Reg. No. 37272	
			SIGNAMAII ING	
		ERTIFICATE OF TRANSMISS		
hereby cartify that t sufficient postage as shown below.	his correspondence is being first class mail in an envelo	g facsimile transmitted to the USPTO ope addressed to: Commissioner for P	or doposited with the United States Postal Service with Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date	
	1/	10000111		
Signature		NUUTUUV		

This collection of Information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete dapplication form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED REPORT OF THE ANDRESS. FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05-Dec-21

12/21/05

Date

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/781250 Application Number February 18, 2004 Filing Date TRANSMITTAL RECEIVED First Named Inventor **Backes FORM** CENTRAL FAX CENTER 2665 Art Unit (to be used for all correspondence after initial filing) **Philipott** Examiner Name Attorney Docket Number 160-034 Total Number of Pages in This Submission (Check all that apply) ENCLOSURES After Allowance communication to (TC) Drawing(s) Fee Transmittal Form Appeal Communication to Board of Licensing-related Papers Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) **Petition** Amendment / Reply Proprietary Information Petition to Convert to a After Final Provisional Application Power of Attorney, Revocation Change of Correspondence Address; Statement Under 37 CFR 3.72(b) Status Letter Affidavits/declaration(s) Other Enclosure(s) (please identify Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s)_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Document(s) Remarks Reply to Missing Parts/ Incomplete PLEASE CHARGE ANY FEE DEFICIENCY OR CREDIT ANY OVERPAYMENT Application TO DEPOSIT ACCOUNT 502569 Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Steubing McGuinness & Manaras LLP Firm Name Mr. 2.0 Signature Holmes W. Anderson Printed name 37272 Reg. No. 12/21/2005 Date CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Peetal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature

978 264 9119

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22319-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Carol Ann Mahoney

Typed or printed name

Group Art Unit: 2665

Examiner: Philpott

RECEIVED

CENTRAL FAX CENTER

DEC 2 1 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Backes

05-Dec-21

Application No.: 10/781250

Filed: 2/18/2004

Title: Program for Selecting an Optimum Access Point

in a Wireless Network on a Common Channel

- - - - - 150 004

Attorney Docket No.: 160-034
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

Dear Sir.

In response to the Office Action of September 30, 2005, please amend this application as follows: